

Ropers Majeski Kohn & Bentley
A Professional Corporation
Redwood City

PAMELA E COGAN (SBN 105089)
ROBERT M FORNI, JR. (SBN 180841)
ROPERS, MAJESKI, KOHN & BENTLEY
1001 Marshall Street
Redwood City, CA 94063
Telephone: (650) 364-8200
Facsimile: (650) 780-1701
pcogan@ropers.com
rforni@ropers.com

Attorneys for Defendant
LIBERTY LIFE ASSURANCE COMPANY OF BOSTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GENIE DIBBLE GILMAN, MICHELE
DAVENPORT,

Plaintiffs,

v

LIBERTY LIFE ASSURANCE
COMPANY OF BOSTON,

Defendant

CASE NO C 05-04807 MJJ

STIPULATION AND ORDER
(1) SEVERING CLAIMS BY MICHELE
DAVENPORT; (2) STRIKING CLAIMS BY
MICHELE DAVENPORT; AND (3)
DISMISSING CLAIMS BY MICHELE
DAVENPORT

IT IS HEREBY STIPULATED AND AGREED by plaintiffs, GENIE DIBBLE-
GILMAN and MICHELE DAVENPORT (hereinafter referred to as "DAVENPORT"), and
defendant, LIBERTY LIFE ASSURANCE COMPANY OF BOSTON (hereinafter referred to as
"LIBERTY"), by and through their attorneys of record, to the following:

DAVENPORT, and any and all claims alleged, and relief sought, by her against
LIBERTY in this action (including those alleged in Paragraphs 2, 9 through 13, and 26 through
37 of the Complaint on file herein), shall be and hereby are dismissed from this action with
prejudice

DAVENPORT and LIBERTY shall bear their own fees and costs.

DAVENPORT, and any and all claims alleged, and relief sought, by her against
LIBERTY in this action (including those alleged in Paragraphs 2, 9 through 13, and 26 through

RC1/411832 I/RMF

STIPULATION AND ORDER DISMISSING CLAIMS
BY PLAINTIFF MICHELE DAVENPORT
CASE NO C 05-04807 MJJ

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37 of the Complaint on file herein) shall be and hereby are severed from this action

Any and all claims alleged, and relief sought, by DAVENPORT against LIBERTY in this action (including those alleged in Paragraphs 2, 9 through 13, and 26 through 37 of the Complaint on file herein) shall be and hereby are stricken from the Complaint

IT IS SO STIPULATED.

Dated: September 30, 2006

LAW OFFICES OF JOHN M RIESTENBERG

By


JOHN M RIESTENBERG
Attorney for Plaintiffs, GENIE DIBBLE-
GILMAN and MICHELE DAVENPORT

Dated: October 3, 2006

ROPERS, MAJESKI, KOHN & BENTLEY

By


PAMELA E. COGAN
ROBERT M. FORNI, JR
Attorneys for Defendant, LIBERTY LIFE
ASSURANCE COMPANY OF BOSTON

ORDER

IT IS SO ORDERED.

Dated : 10/12/2006


The Honorable Martin J. Jenkins
UNITED STATES DISTRICT COURT JUDGE